

100103  
18334 U.S. PTO

PATENT  
Attorney Docket 057971-5006US

22278 U.S. PTO  
10/674395  
10/01/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner of Patents and Trademarks  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window, **Mail Stop Patent Application**  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

**TRANSMITTAL FOR A NEWLY EXECUTED ORIGINAL  
APPLICATION UNDER 37 C.F.R. § 1.53(b)**

This is a request for filing a patent application under 37 C.F.R. 1.53(b) for:

Inventors:     1. Margherita T. Cantorna, State College, PA  
                  2. Avery August, State College, PA  
                  3. John P. Vanden Heuvel, Port Matilda, PA

For:     **PPAR- $\gamma$  Ligands in the Treatment of Asthma and Allergies**

1.     This is a new **Utility** patent application.
2.     The papers enclosed to obtain a filing date are as follows:

**43** Pages of Specification including  
          **36** Pages of Description  
          **06** Pages of Claims  
          **01** Page of Abstract  
          **02** Sheets of Drawings (Figures 1 and 2)

3.     **Combined Declaration and Power of Attorney**: Not Enclosed - this application is being filed under the provisions of 37 C.F.R. § 1.53(f). Applicants await notification from the U.S. Patent and Trademark Office of the time set for filing the Declaration.
4.     **Language**: English
5.     **Priority based on provisional applications - 35 U.S.C. § 119(e)**: Priority of the following provisional application is claimed:

Application No.	Filed
60/415,452	October 1, 2002
60/418,818	October 11, 2002

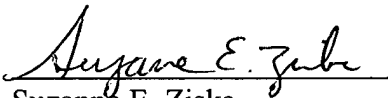
6. Fee Calculation (37 C.F.R. § 1.16):

CLAIMS FOR FEE CALCULATION				
	Number Filed	Number Extra	Rate	Basic Fee: \$770.00
Total Claims	49	29	\$18 each	522.00
Independent Claims	5	2	\$86 each	172.00
First presentation of Multiple Dependent Claim			\$290.00	0.00
Sub-Total				\$1,464.00
Reduction by ½ for filing by a small entity				-732.00
Total Fee =				\$732.00

7. Fee Payment: The Commission is hereby authorized to charge **\$732.00** to Deposit Account 50-0310 for payment of the application filing fee (\$385.00), the excess total claims fee (\$261.00) and the excess independent claims fee (\$86.00) all at the small entity rate.
8. **Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and § 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **Constructive Petition for Extension of Time** in accordance with 37 C.F.R. § 1.136(a)(3).
9. Please accord this application an application number and filing date.

Dated: **October 1, 2003**  
Morgan, Lewis & Bockius LLP  
Customer No. **09629**  
1111 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
Tele: 202-739-3000  
Fax: 202-739-3001

Respectfully submitted  
**Morgan, Lewis & Bockius LLP**

  
Suzanne E. Ziska  
Registration No. 43,371  
Direct: 202-739-5888